

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON DC 20268-0001

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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Complaint on Sunday  
and Holiday Collections

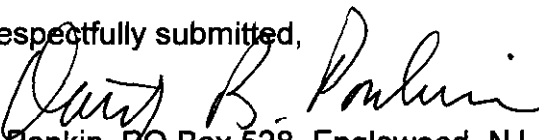
Docket No. C2001-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORY  
DBP/USPS-14 TO THE UNITED STATES POSTAL SERVICE AND POTENTIAL  
MOTION FOR LATE ACCEPTANCE

August 9, 2001

I move to compel a satisfactory response to Interrogatory DBP/USPS-14 submitted to the United States Postal Service to which Presiding Officer's Ruling No. C2001-1/7 dated July 27, 2001 compelled a response. This motion is being mailed on August 9, 2001, and should arrive at the Commission on August 13, 2001, under current USPS standards. In the event that it does not arrive by the deadline, I move for late acceptance.

Respectfully submitted,



August 9, 2001

David B. Popkin, PO Box 528, Englewood, NJ 07631-0528

1. The Postal Service was compelled to provide a response to Interrogatory DBP/USPS-14. This interrogatory asked two very simple questions to confirm.

DBP/USPS-14 Please refer to your response to DBP/USPS-1a. [a] Please confirm that the Postal Operations Manual is available to members of the general public. [b] Please confirm that members of the general public may properly assume that the policies, regulations, and procedures of the Postal Service that are contained in the POM will be complied with by the Postal Service. [c] Please explain any subparts that you are not able to confirm.

While it is desirable for the respondent to an interrogatory to fully explain their response in light of what the questioner is asking, it still requires that the interrogatory be answered.

2. Subpart a asked a simple question. Is the Postal Operations Manual [POM] available to the public? The front page of Issue 8 of the POM dated July 16, 1998 [the latest issue] under "F." states, "**Sale to the Public.** Nonpostal users should write or call: [an address and telephone number is provided]"

3. Subpart b asks another simple question. This response apparently attempts to anticipate why I am asking the interrogatory and answers that question. It does not respond to the question that I asked. The Postal Service was compelled to respond to this interrogatory; they should respond to the interrogatory that was asked and not to what they perceive the interrogatory should be.

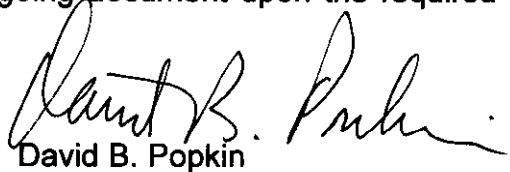
4. For the reasons stated, I move to compel a satisfactory response to Interrogatory DBP/USPS-14.

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#### CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required participants of record in accordance with Rule 12.

August 9, 2001

  
David B. Popkin